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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/723,375	11/25/2003	Keith W. Atkinson	IGT1P304/AC043	8007
22434	7590	05/31/2007	EXAMINER	
BEYER WEAVER LLP			EPSHTEYN, ALEXANDER	
P.O. BOX 70250			ART UNIT	
OAKLAND, CA 94612-0250			PAPER NUMBER	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/723,375

Applicant(s)

ATKINSON ET AL.

Examiner

Alex Epshteyn

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3 and 5-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Brosnan et al. (US Patent 6,682,423).

Regarding claim 1, Brosnan teaches of a gaming network comprising a plurality of gaming machines, one or more information servers coupled to the plurality of gaming machines, the one or more information servers structured to store data related to the plurality of gaming machines and related to players of the gaming machines, and to generate data for use on the gaming machine (6: 15-46). The gaming network can use a wireless server coupled to the one or more information servers with a wireless receiver structured to couple to the secure wireless server and to create a data channel between the wireless server and the wireless receiver (10: 2-47). It is inherent that the wireless system of Brosnan is a secured wireless system since information flow, especially in a casino system must be based on a secure system.

Regarding claim 2, the wireless server is structured to create a session with the secure wireless receiver, where the session is created when a player inserts a player tracking card that communicated with the game server to execute

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the functions of player tracking (19: 30-57). In other embodiments a session is created when a gaming machine needs to be updated (20: 14-30).

Regarding claim 3, the session is limited in duration since the session only lasts during the time the player is playing at the gaming machine (19: 30-57).

Regarding claim 5, Brosnan teaches of a system for redeeming tickets comprising one or more information servers on a gaming network, the one or more information servers configured to store data related to past play of gaming machines and related to players of the gaming machines, and to generate data for use on the gaming network (19: 30-58). The data stored on the one or more information servers related to transactions previously memorialized by a ticket (18: 47-55). The system further includes a wireless server and receiver as described above.

Regarding claim 6, the system includes a session detector, where the session detector is a card reader used to initiate a gaming session for a player (19: 30-45).

Regarding claim 7, the system includes a ticket validator configured to determine if a particular ticket identifier correctly identifies a previously memorialized transaction (18: 18-27).

Regarding claim 8, the ticket identifier correctly identifies a previously memorialized transaction (18: 18-27). The information servers are configured to then generate redemption data (18: 46-55).

Regarding claim 9, the system of Brosnan inherently includes information from the system for the data and time ticket redemption was redeemed. This is a

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necessary embodiment of any player tracking system so that system knows whether or not awards were redeemed so the player cannot receive the same reward twice.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brosnan and further in view of Acres et al. (US Patent 5,876,284).

While Brosnan does not explicitly teach of establishing a session only in certain time periods, such play session using servers are well known in the art. One such example of this is taught by Acres, who teaches of a bonus pool that is implemented during a particular time period (37: 43-56) where a bonus server operates the bonus pool. It would be obvious for one skilled in the art to establish such a criteria as taught by Acres in the invention of Brosnan. One

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reason this would be an obvious variation is for a session in which a bonus is to provide based on time and thus the bonus server would be accessed only during the specific time period.

Response to Arguments

Applicant's arguments filed 3/12/2007 have been fully considered but they are not persuasive.

Applicant argues that Brosnan does not teach of one or more information servers coupled to a secure wireless server. The Examiner does not agree with this contention. Brosnan clearly teaches of one or more servers where one or any of the servers can be wireless (10: 1-7). Also as can be seen from figure 1A of Brosnan, there are at least 4 servers, where any 3 of the servers can be information server and the other server can be the secure wireless server coupled to the information server. For example, the accounting server, progressive server, and cashless play server can be considered information servers and the player-tracking server can be considered a secure wireless server.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alex Epshteyn whose telephone number is 571-272-5561. The examiner can normally be reached on M-F 8 - 4:30.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bob Pezzuto can be reached on 571-272-6996. The fax

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phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AE



Robert E. Pezzuto
Supervisory Patent Examiner
Art Unit 3714